

Message Text

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TAGS:UN, PARM, TECH, IAEA

SUBJECT:UN;SSOD BACKGROUND PAPER, NON-PROLIFERATION

THE SSOD WILL TAKE PLACE AT A TIME WHEN EFFORTS TO
PREVENT THE SPREAD OF NUCLEAR WEAPONS HAVE AGAIN BECOME A
MAJOR FOCUS OF US ARMS CONTROL AND DISARMAMENT EFFORTS.
THE REASONS FOR THIS RENEWED CONCERN INCLUDE THE INDIAN
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"PNE" OF MAY 1974 AND THE GROWING INTEREST OF A NUMBER OF
COUNTRIES IN RECEIVING THE PEACEFUL BENEFITS OF NUCLEAR
ENERGY. TWO MAJOR POLICY REVIEWS HAVE BEEN UNDERTAKEN BY
THE US WITHIN THE PAST TWO YEARS. OF PARTICULAR RELEVANCE
FOR THE SSOD IS THAT A NUMBER OF DEVELOPING COUNTRIES WITH
GOOD NON-PROLIFERATION CREDENTIALS HAVE EXPRESSED SERIOUS
CONCERN THAT THESE NEW POLICIES AND, IN PARTICULAR, THE

LONDON SUPPLIERS' GROUP ARE ACTUALLY DESIGNED TO KEEP THEM FROM REALIZING THE FULL BENEFITS OF NUCLEAR ENERGY AND HENCE ARE INCOMPATIBLE WITH NPT ARTICLE IV. FURTHER, MANY NNWS HAVE GROWN INCREASINGLY CRITICAL OF WHAT THEY PERCEIVE TO BE A LACK OF PROGRESS TOWARDS NUCLEAR DISARMAMENT BY THE NWS AND CITE THIS AS A FAILURE OF THESE STATES TO FULFILL THEIR OBLIGATIONS UNDER NPT ARTICLE VI.

PARTICULARLY, TIGHTER CONDITIONS ON NUCLEAR EXPORTS.

JUDGING FROM OUR EXPERIENCE WITH LAST FALL'S UNGA THE NON-PROLIFERATION ISSUE WILL LIKELY BE VERY CONTENTIOUS AT THE SSOD WITH VARIOUS ASPECTS OF US POLICY UNDER STRONG NON-ALIGNED ATTACK. IN THE INTEREST OF ENSURING THAT AT A MINIMUM US INTERESTS ARE NOT HARMED, THE DELEGATION SHOULD EMPHASIZE THOSE ASPECTS OF OUR POLICY THAT HAVE GENERATED CONSIDERABLE INTERNATIONAL SUPPORT (I.E., NPT, INFCE, TREATY OF TLAHELCO, IAEA, NWFZ) AND PUSH FOR THEIR APPROPRIATE RECOGNITION IN THE PROGRAM OF ACTION. ON THE MOST DIFFICULT ISSUE, THAT OF "ACCESS TO NUCLEAR TECHNOLOGY," WE SHOULD ATTEMPT TO STRIKE A BALANCE BETWEEN THE NON-ALIGNED POSITION EMPHASIZING A NATION'S RIGHTS TO SUCH ASSISTANCE AND US CONCERNS REGARDING NON-PROLIFERATION. WE SHOULD EMPHASIZE THAT THESE TWO GOALS NEED NOT BE CONTRADICTORY; THEY BOTH ENJOY BROAD INTERNATIONAL SUPPORT. FURTHER, PAST AND PRESENT EFFORTS

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BY THE US IN THE AREA OF NUCLEAR COOPERATION SHOULD BE EMPHASIZED AS REFLECTING A STRONG POLICY COMMITMENT TO SHARE THE BENEFITS OF NUCLEAR ENERGY.

OUR GENERAL OBJECTIVE AT THE SSOD SHOULD BE TO DEVELOP A BETTER UNDERSTANDING AMONG THE NON-ALIGNED OF OUR NON-PROLIFERATION POLICY AND REASSURE THEM THE US REMAINS STRONGLY COMMITTED TO MEETING THEIR LEGITIMATE NUCLEAR ENERGY NEEDS. US POLICIES THAT REQUIRE CAREFUL SCRUTINY OF NUCLEAR EXPORTS ARE NOT AIMED AT CUTTING BACK ON SUCH COOPERATION, BUT SIMPLY TO ENSURE THAT ANY SUCH EXPORTS WILL NOT BE MISUSED. INDEED, OVER THE LONG TERM SUCH A POLICY, WHICH IS SHARED BY OTHER SUPPLIER NATIONS, MAY BE A MAJOR FACTOR IN FOSTERING THE CONTINUED DEVELOPMENT OF PEACEFUL NUCLEAR ENERGY. IT WOULD TAKE ONLY A FEW CASES OF DIVERSION FOR USE IN EXPLOSIVES TO FORCE A SEVERE CURTAILMENT OF PEACEFUL APPLICATIONS, TO THE DETRIMENT OF SUPPLIER AND RECIPIENT STATES ALIKE.

OUR NEGOTIATING STRATEGY SHOULD FOCUS ON DEVELOPING SUPPLIER STATE CONSENSUS AND WORKING PRINCIPALLY WITH YUGOSLAVIA AND OTHER NON-ALIGNED NPT PARTIES (E.G., IRAN,

MEXICO, NIGERIA) TO ENCOURAGE COMPROMISE -- EMPHASIZING OUR COMMON INTERESTS AND OUR VIEW THAT ONLY THROUGH CLOSE SUPPLIER-RECIPIENT COOPERATION (E.G., INFCE) CAN ISSUES RELATED TO PEACEFUL USES OF NUCLEAR ENERGY BE RESOLVED.

GENERIC PHRASE ADOPTED BY THE NON-ALIGNED TO REFER TO COOPERATION WITH NUCLEAR SUPPLIER STATES.

1. NWS DISARMAMENT. WE SHOULD ACKNOWLEDGE THE OBLIGATION OF THE NWS TO WORK TOWARDS NUCLEAR DISARMAMENT, I.E., BASICALLY REAFFIRMING US COMMITMENT TO NPT ARTICLE VI. HOWEVER, SUCH NWS ACTION SHOULD NOT BE PUT FORWARD AS THE PRINCIPAL REMEDY IN FORESTALLING PROLIFERATION AND SHOULD NOT BE GIVEN PROMINENCE IN THE NON-PROLIFERATION CONFIDENTIAL

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SECTION OF THE PROGRAM OF ACTION. THERE ARE MANY OTHER PLACES IN THE CONFERENCE DOCUMENTS WHERE NWS DISARMAMENT RESPONSIBILITIES ARE ALREADY GIVEN HEAVY EMPHASIS.

2. NPT. UNIVERSAL NPT ADHERENCE SHOULD BE ENCOURAGED. SUPPORT FOR THE TREATY CUTS ACROSS IDEOLOGICAL AND REGIONAL BOUNDARIES AND INCLUDES MUCH OF THE THIRD WORLD (MORE THAN 70 COUNTRIES) AMONG ITS 104 PARTIES. HOWEVER, THERE IS NO REASON FOR THE US TO OPPOSE STATEMENTS SUPPORTING ALTERNATIVE MECHANISMS FOR FORESWEARING THE DEVELOPING AND ACQUISITION OF NUCLEAR WEAPONS SUCH AS THE TREATY OF TLATELOLCO AND OTHER SIMILAR NWFZ.

3. IAEA SAFEGUARDS. LANGUAGE SUPPORTING UNIVERSAL NON-DISCRIMINATORY APPLICATION OF IAEA SAFEGUARDS CAN BE SUPPORTED AS CONSISTENT WITH US POLICY AND BECAUSE FRANCE, US AND UK ARE ALL IN THE PROCESS OF ACCEPTING SOME MEASURE OF IAEA SAFEGUARDS (LEAVING ONLY THE PRC AND USSR AS NWS NOT ACCEPTING SUCH AN OBLIGATION). HOWEVER, ANY IMPLICATION THAT IAEA SAFEGUARDS ALONE IS A SUFFICIENT CONTROL MEASURE SHOULD BE AVOIDED, PARTICULARLY FOR INTERNATIONAL TRANSFERS, BECAUSE THE US MUST LEGALLY REQUIRE OTHER ASSURANCES ON EXPORTS (E.G., PHYSICAL SECURITY, APPROVALS FOR RETRANSFER/REPROCESSING) AND BECAUSE THE US HAS RAISED SERIOUS QUESTIONS ABOUT THE SAFEGUARDABILITY OF REPROCESSING PLANTS.

THE DELEGATION MAY WISH TO USE SUITABLE OPPORTUNITIES TO ENCOURAGE ADHERENCE BY PARTICULAR STATES. GUIDANCE WILL FOLLOW SEPARATELY.

IT IS LIKELY THAT SOME SIGNIFICANT ANNOUNCEMENTS COULD BE MADE DURING THE SSOD THAT WOULD MOVE THE TREATY CONFIDENTIAL

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OF TLATELOLCO CLOSER TO FULL ENTRY INTO FORCE. THE SOVIETS RECENTLY SIGNED PROTOCOL II AND MAY GIVE THIS ACTION SOME PROMINENCE. IN ADDITION, THE FRENCH AND ARGENTINES MAY TAKE SOME ACTION.

4. INFCE. THE US SHOULD URGE RETENTION OF LANGUAGE PERTAINING TO INFCE AND ITS MISSION. THE NON-ALIGNED ARE PARTICIPATING IN THIS STUDY WHICH SHOULD BE HERALDED AS THE TYPE OF SUPPLIER-RECIPIENT COOPERATION CAPABLE OF ACHIEVING CONCRETE RESULTS IN THE NON-PROLIFERATION FIELD. ALL COUNTRIES SHOULD BE ABLE TO SUPPORT AN EFFORT WHOSE GOAL IS TO ENSURE THAT PEACEFUL NUCLEAR DEVELOPMENT PROCEEDS IN A MANNER CONSISTENT WITH MINIMIZING PROLIFERATION DANGERS.

5. NUCLEAR ENERGY/NON PROLIFERATION. THE US SHOULD NOT OPPOSE LANGUAGE THAT ARGUES FOR "THE RIGHT TO ACQUIRE" NUCLEAR TECHNOLOGY OR THAT A STATE "SHOULD BE FREE TO DEVELOP ITS OWN NUCLEAR PROGRAM ACCORDING TO ITS OWN NEEDS," AS LONG AS APPROPRIATE NON-PROLIFERATION CONCERNS ARE ALSO RECOGNIZED. HOWEVER, US EXPORT OF SENSITIVE FACILITIES (E.G., ENRICHMENT AND REPROCESSING) IS STRICTLY CONTROLLED BY LAW, REGULATION, AND POLICY. THUS A COUNTRY DOES NOT HAVE A "RIGHT TO UNHINDERED ACCESS" TO US EXPORTS AND IS NOT "FREE TO ACQUIRE" ANY ITEM OF ITS CHOOSING.

COUNTRIES MAY, AND DO, HAVE CONSIDERABLE ACCESS TO US EQUIPMENT (E.G., REACTORS), MATERIAL (FUEL), AND TECHNOLOGY (E.G., RELATED TO REACTORS) UNDER AGREEMENTS FOR COOPERATION. INDEED, IT IS IMPORTANT TO EMPHASIZE THAT THE US CONTINUES TO STRONGLY SUPPORT SUCH COOPERATION. THE US HAS A RECORD SECOND TO NONE IN SHARING THE BENEFITS OF THE PEACEFUL ATOM WITH OTHER COUNTRIES -- THROUGH THE IAEA AND 23 BILATERAL AGREEMENTS CURRENTLY IN FORCE (APPROXIMATELY HALF OF WHICH ARE WITH NON-ALIGNED COUNTRIES).

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STATES). OUR SSOD INITIATIVE ON PEACEFUL NUCLEAR COOPERATION WILL PROVIDE FURTHER EVIDENCE OF THAT COMMITMENT.

THIS SHOULD INCLUDE A RECOGNITION THAT THERE ARE PROLIFERATION RISKS ASSOCIATED WITH THE SPREAD OF PEACEFUL NUCLEAR TECHNOLOGY AND THAT APPROPRIATE MEASURES

NEED TO BE TAKEN. HOWEVER, AS MENTIONED PREVIOUSLY,
WHILE IAEA SAFEGUARDS ARE NECESSARY, THEY ARE NOT A
SUFFICIENT CONTROL MEASURE FOR PREVENTING PROLIFERATION.
CHRISTOPHER

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